



United States  
Department of  
Agriculture

MAY 07 1999

Food and  
Nutrition  
Service

Mountain Plains  
Region

REPLY TO

ATTN OF: SP 99-14

1244 Speer Blvd.  
Denver, CO  
80204-3581

SUBJECT: School Food Service Area and the Sale of Foods of  
Minimal Nutritional Value

TO: STATE AGENCY DIRECTORS - Colorado ED, Iowa,  
(Child Nutrition Programs) Kansas, Missouri ED  
Montana PI, Nebraska  
North Dakota, South  
Dakota, Utah,  
Wyoming ED

As you are aware, under 7 CFR 210.11(b) of the National School Lunch Program (NSLP), no "food of minimal nutritional value" (FMNV), as defined in 7 CFR 210.11(a)(2) and Appendix B, shall be sold in the food service areas during the lunch periods. Likewise, no FMNV, as listed in Appendix B of 7 CFR 220, shall be sold in the food service areas during the breakfast service periods, under 7 CFR 220.12(a) of the School Breakfast Program (SBP). This memorandum offers guidance on the question of what is a "food service area", for the purpose of determining where FMNV may not be sold during meal service time.

A food service area is an area where reimbursable meals under the NSLP or SBP are either served or eaten. The typical meal service arrangement throughout this Region is one in which reimbursable meals are served to children, and eaten, in a cafeteria-type setting in a single room. In all such situations, the entire room constitutes the food service area. Furthermore, if children are served their meals in one room and then go into another room where they are to eat their meals, each room is a "food service area" for the purpose of applying the competitive food and FMNV rules.

The NSLP and SBP regulations governing the sale of FMNV do not prohibit their sale in non-food service areas during NSLP and SBP service periods, and schools are not required to prevent children access to such items when they are sold outside food service areas. Please note that a separate area in which FMNV may be sold "outside" the food service area may not be created in a food service area by such expedients as the use of markings on the floor, or use of barrier devices, or portable partitions, etc.

The intent of the regulations on competitive foods and FMNV is to protect the nutritional integrity of school meals. The guidance we give in this memorandum is consistent with the guidance we have given in the past in response to questions on specific competitive food service situations. While State agencies (SAs) must exercise judgment in applying and monitoring the competitive foods guidelines, our office will continue to offer assistance to SAs in applying the regulations and guidance in specific food service situations.

Please contact our office if you have questions.



ANN C. DeGROAT  
Regional Director  
Child Nutrition Programs